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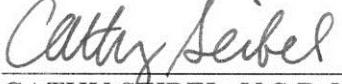
October 13, 2020

**BY ECF**

Hon. Cathy Seibel  
United States District Judge  
U.S. Courthouse  
300 Quarropas Street  
White Plains, NY 10601-4150

Application granted. Mr. DeVita is assigned for purposes of an application under 18 USC 3582(c) (1)(A)(i). In the meantime, the Government shall investigate why Defendant was not moved out of OCJ to BOP between sentencing and the pandemic, and why he has not been transferred to BOP now that transfers have (I believe) resumed.

SO ORDERED.

  
CATHY SEIBEL, U.S.D.J.

Dear Judge Seibel:

10/13/20

I was assigned under the Criminal Justice Act to represent defendant Jesus Mojica in the above referenced case. Mr. Mojica has asked me to represent him on a motion to reduce his sentence pursuant to 18 U.S.C. § 3582(c)(1)(A)(i). Although Your Honor sentenced Mr. Mojica on January 3, 2020 (Docket No. 22), he has still not been transferred to the custody of the United States Bureau of Prisons (“BOP”) and remains confined at the Orange County Correctional Center. He therefore does not have access to the administrative processes available to inmates confined in BOP custody for applications pursuant to § 3582(c)(1). I respectfully request that I be assigned to represent Mr. Mojica for the purposes of a Compassionate Release motion. I believe this is an assignment I can accept and fulfill prior to the end of the year, at which time, as Your Honor knows, I intend to retire.

Respectfully submitted,

*s/James R. DeVita*

James R. DeVita

cc: Assistant United States Attorney David Felton (by ECF)